

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 13-42 and 44 will be pending. By this amendment, claim 43 has been canceled; and claim 44 has been added. No new matter has been added.

§112 Rejection of Claim 43

In Section 2 of the Office Action, the Examiner has rejected claim 43 under 35 U.S.C. § 112, second paragraph. Claim 43 has been canceled and claim 44 has been added in its place, thereby obviating this rejection.

Accordingly, it is submitted that the Examiner's rejection of claim 43 based upon 35 U.S.C. §112 has been obviated and withdrawal thereof is respectfully requested.

§102 Rejection of Claims 13-15, 18-26, 28-30, 33-41 and 43

In Section 3 of the Office Action, the Examiner has rejected claims 13-15, 18-26, 28-30, 33-41 and 43 under 35 U.S.C. §102(b) as being anticipated by Microsoft Windows, copyright 1998 (Screenshot 1). This rejection is respectfully traversed.

In the Background section of the Specification, it was disclosed that "if the user wants to get access to services of a specific home device, a session manager generates an interface displaying a loaded top level home page of the respective home device with reference to said home device buttons. ... Further, it is to be noted that each top-level home page for a respective home device has a different structure according to different operating functions associated

therewith. Hence, the user has to concentrate on different structures of distinct top-level home pages, respectively.” *Background of the Specification, page 5, lines 23-30.*

To address the above-described problem, embodiments of the present invention provide method and interface for controlling network devices. For example, the steps of method claim 13 includes:

“*determining* a connection of one or more devices to a network;

determining availability of one or more multimedia services available via one or more devices connected to the network; and

displaying a hierarchical view representative of said one or more devices connected to the network and said one or more available multimedia services.”

(emphasis added)

Therefore, claim 13 describes a method for controlling network devices by determining which devices and multimedia services are available and connected to a network, and displaying a hierarchical view of the connected devices and available multimedia services.

Although the Windows Explorer shows a hierarchical view of the files, directories, and devices connected to a computer, Windows Explorer fails to teach or suggest controlling network devices by determining which devices and multimedia services are available and connected to a network, and displaying a hierarchical view of the connected devices and available multimedia services.

Based on the foregoing discussion, it is maintained that claim 13 should be allowable over Microsoft Windows. Furthermore, since independent claim 28 closely parallels, and includes substantially similar limitations as, independent claim 13, claim 28 should also be allowable over Microsoft Windows. Since claims 14-27 and 29-42 depend from claims 13 and 28, respectively, claims 14-27 and 29-42 should also be allowable over Microsoft Windows.

Claim 43 has been canceled.

Accordingly, it is submitted that the Examiner's rejection of claims 13-15, 18-26, 33-41 and 43 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 16-17 and 31-32

In Section 4 of the Office Action, the Examiner has rejected claims 16-17 and 31-32 under 35 U.S.C. §103(a) as being unpatentable over Microsoft Windows, as applied to claims 13 and 28 above, and Mitchell *et al.* (U.S. Patent 6,628,304; hereinafter referred to as "Mitchell"). This rejection is respectfully traversed.

Based on the foregoing discussion regarding claims 13 and 28, and since claims 16-17 and 31-32 depend from claims 13 and 28, respectively, it is maintained that claims 16-17 and 31-32 should be allowable over Microsoft Windows.

Mitchell indicates that "[a] typical computer systems management software application presents a graphical user interface to the user which displays ... hierarchical disk directory structure information in a horizontal tree-like manner." Mitchell, column 2, lines 38-44. Mitchell also indicates that "[c]urrent network management applications present the structure of the managed network in a graphical tree-like manner, much like the computer system management applications (i.e., File Manager) discussed above. Essentially, the management software displays a graphical representation of the physical network as long lines with devices located at various locations. The image of a large computer network can grow to become quite lengthy, having hundreds, or even thousands of devices extending therefrom. The network manager can graphically navigate around the network by scrolling the image of the network left

or right on the display using, for example, a mouse pointer to select left/right and up/down scroll bars. When an icon is displayed representing a network device of interest, the network manager can select this device. Device selection causes data associated with that device to be displayed. The data is typically device statistic data obtained from the SNMP MIB for that device.”

Mitchell, column 3, lines 16-32.

Further, Mitchell indicates that “[t]he aforementioned problems combine to have a pronounced effect when using prior art hierarchical interfaces to perform tasks such as moving and copying objects from one level to another. For instance, if a file located at a lower level in the hierarchy is to be copied to another location elsewhere in the hierarchy, a typical interface supports the drag-and-drop concept. In drag-and-drop, the user should be able to find a file, select it, and while maintaining it in a selected state (i.e, with a mouse pointer), the user should be able to drag the file icon to another location and release selection of the item. The interface will interpret this action as an intent to copy the file or item to that location. However, in tree-like hierarchical interfaces, this becomes difficult due to the requirements of having to scroll from one location to another in the hierarchy in order to find the source and destination for an item. It is frequently the case that the source and destination cannot be arranged so as to both be visible on the screen at once. In such a case, an alternative means of copying the item must be used.” *Mitchell, column 4, lines 28-46.*

“Similar problems exist for network management applications which attempt to display a network hierarchy as a tree-like structure. The network manager must scroll through a potentially lengthy graphical display of network communication lines in order to arrive at a device of interest. After selecting the device to view data associated with the device, and then

reverting to the graphical view, the user may not recall the whereabouts of the current location within the network.” *Mitchell*, column 4, lines 47-55.

Since Mitchell teaches away from the techniques of Microsoft Windows, it seems that there is no motivation to combine the prior art references of Microsoft Windows and Mitchell. Therefore, based on the foregoing discussion, it is submitted that claims 16-17 and 31-32 are not rendered obvious by the teachings of Microsoft Windows and Mitchell.

Accordingly, it is submitted that the Examiner’s rejection of claims 16-17 and 31-32 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 27 and 42

In Section 5 of the Office Action, the Examiner has rejected claims 27 and 42 under 35 U.S.C. §103(a) as being unpatentable over Microsoft Windows, as applied to claims 13 and 28 above, and *Lea et al.* (U.S. Patent 6,032,202; hereinafter referred to as “Lea”). This rejection is respectfully traversed below.

Based on the foregoing discussion regarding claims 13 and 28, and since claims 27 and 42 depend from claims 13 and 28, respectively, it is maintained that claims 27 and 42 should be allowable over Microsoft Windows.

Since Lea is directed to method and system for providing seamless interoperability and integration of a plurality of devices in a network (Lea, Abstract), Lea provides no motivation to combine it with the Microsoft Windows reference. Further, Microsoft Windows provides no motivation to combine it with Lea. Therefore, based on the foregoing discussion, it is submitted that claims 27 and 42 are not rendered obvious by the teachings of Microsoft Windows and Lea.

Accordingly, it is submitted that the Examiner's rejection of claims 27 and 42 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claim

Since newly-added claim 44 closely parallels, and includes substantially similar limitations as, independent claim 13, claim 44 should be allowable over the cited prior art references.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 13-42 and 44 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

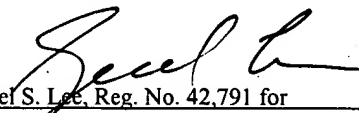
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Samuel S. Lee, Reg. No. 42,791 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800